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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,624	12/27/2001	Naoki Tsunoda	217548US2	9054

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EXAMINER	
DURNFORD GESZVAIN, DILLON	
ART UNIT	**PAPER NUMBER**
2622	

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/026,624	TSUNODA, NAOKI	
	Examiner	Art Unit	
	Dillon Durnford-Geszvain	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 30 May 2006.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-8 and 10 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-8 and 10 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2622.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/27/2006 has been entered.

Response to Amendment

3. Claims **1-8** and **10** are pending, claim **1** has been amended and claim **9** has been canceled.

Response to Arguments

4. Applicant's arguments with respect to claim **1** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims **1, 3-8** and **10** are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,223,190 (Aihara et al.) in view of US 6,035,323 (Narayen et al.) further in view of US 6,738,075 (Torres et al.).

As to claim **1** Aihara et al. teaches a digital camera device 110 which has a function for creating an HTML document file from a picked-up image (Column 8 lines 33-37) and for taking out the HTML document file through a media and communication or the like (Column 13 lines 37-41), further comprising: a unit which preliminarily registers a template in HTML format for creating an HTML file in the digital camera device (Column 3 lines 9-13); a unit which uses a tag exclusively used for inserting file of a picked-up image (Column 7 lines 22-25); a unit which automatically generates HTML codes inserting the image file in accordance with said tag (Column 7 lines 42-43); a unit which, each time HTML file created, automatically forms a new directory to register the HTML file therein (Column 7 lines 22-25); a unit which, each time a picked-up image is linked to an HTML file, therein; a unit which references the image in the HTML file (Column 7 lines 22-25).

What Aihara et al. does not teach is creating a thumbnail for referencing the image from the HTML file. However, Narayen et al. teaches using lower resolution images stored in a database with links to the original image as a means of referencing the images from a homepage or the like (Column 6 lines 56-64).

Therefore it would have been obvious to one of ordinary skill in the art at the time

the invention was made to have used thumbnails as the means for referencing the original images from the HTML file created in the camera as this would allow the "homepage" to have a smaller total size and would allow the images to be previewed before the full resolution image is accessed.

What the combination of Aihara et al. in view of Narayen et al. does not teach explicitly is adding an icon to the HTML document if there is a sound file associated with the images that are displayed on the HTML document. However, Torres et al. clearly teaches a device that displays a page of thumbnail images that represent images stored on the device, wherein if an image has an associated sound file it displays an icon indicating such next to the thumbnail of the associated image file (see Figs. 3 and 4a). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used this format in the HTML file of Aihara et al. in view of Narayen et al. as this provides information on any files associated with the image allowing a user to instantly asses whether any files are associated with the image represented by the thumbnail displayed on the page.

What none of the cited references teach explicitly is linking the icon to the sound file associated with the image represented by the thumbnail. However, the Examiner takes Official Notice that it is old and well known to link an icon displayed in an HTML document representing audio data to the sound file associated with it. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have linked the icon of the device taught by Aihara et al. in view of Narayen et al. further in view of Torres et al. as this would allow the sound file to be played through a

web browser or the like.

As to claim **3**, see the rejection of claim **1**, and note that what Aihara et al. and Narayen et al. teach has been discussed above. What neither teaches is the use of custom tags. However, the Examiner takes Official Notice that the use of custom tags was old and well known in the art at the time the invention was made. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used a custom tag for inserting an image into an HTML file as taught by Aihara et al. in view of Narayen et al. as this would allow the tag to be customized to the specific application that it is currently being used in. For example, in the instant case the custom tag allows the camera to add specific information that the general tag would not be configured to add.

Note that the above rejection was made in light of the Examiners best understanding of the limitations in the claim.

As applicant has failed to traverse the above old and well known statements of claim **3**, the use of custom tags are now considered admitted prior art. See MPEP 2144. 03 (c).

As to claim **4**, see the rejection of claim **1**, and note that Aihara and Narayen have been discussed above. What neither teaches is automatically transferring operation to an exclusively used tag from a general use tag. However, the Examiner takes Official Notice that the use of Custom tags was old and well known in the art at

the time the invention was made. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used an exclusive tag to link to the images from the HTML file as this would allow specific information to be associated with the image according to what template was being run which would allow the templates to be tailored to specific uses such as for use by a real estate agent or insurance adjustor and would attach different information for each use.

Note that the above rejection was made in light of the Examiners best understanding of the limitations in the claim.

As applicant has failed to traverse the above old and well known statements of claim **4**, the use of custom tags are now considered admitted prior art. See MPEP 2144. 03 (c).

As to claim **5**, see the rejection of claim **1** and note that Aihara and Narayen have been discussed above. Aihara et al. further teaches a unit which displays the HTML document drafting template registered in the digital camera device by using a dummy image file (see Fig. 6B note the name "Script XYZ" is displayed as the template wchich is registered in the camera). As to "a unit which resets the exclusively-used tag section while displaying the HTML document drafting template" If one changes the template which is being used this would necessarily change the exclusively used tag which is defined by the template. Therefore this feature is inherent.

Note that the above rejection was made in light of the Examiners best understanding of the limitation in the claim.

As to claim **6**, see the rejection of claim **1** and note that the Examiner takes official notice that the process of converting portions of an HTML code that one does not wish to use to comments and vice versa is old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the CPU 344 of Aihara et al. to perform this "editing" function on the template taught by Aihara et al. in view of Narayen et al. as this would be an efficient way to add or subtract features from the template without having to load an entirely new template.

As applicant has failed to traverse the above old and well known statements of claim **6**, the use of comments to edit an HTML script are now considered admitted prior art. See MPEP 2144. 03 (c).

As to claim **7**, see the rejection of claim **1** and note that Narayen et al. further teaches a digital camera device which each time a picked-up image is linked to an HTML document, displays the size of the image file thus linked (Column 14 lines 18-28). As to displaying the total size of image files that have been linked before, this would have been considered by Narayen et al. as it is common to display the total size of a file or transfer so as to alert the user of the size of the impending transfer.

As for a unit that enables to connect or disconnect the link of the original picked-up image to or from an image with a thumb-nail size on HTML document, Narayen et al. would have considered allowing the user to edit albums that have already been

published by severing links, erasing thumbnails, or adding links. This would amount to simply the ability to edit the album later if the user forgot a picture or accidentally put the wrong picture in it.

As to claim **8**, see the rejection of claim **1** and note that as discussed above Narayen et al. would have considered allowing the user to edit an album after it has been published and would also have considered showing the total file size of the album as the user may have to keep the album under a certain limit or may pay by the size of the album and therefore would like to know how large it is.

Narayen also teaches a unit which, after forming an HTML document, reduces the size of the original picked-up image in a uniformed manner to a desired size (Column 9 lines 46-47).

As to claim **10**, see the rejection of claim **1** and note that Aihara et al. further teaches a unit which downloads a template file in HTML format from a predetermine home page on the Internet (Column 9 lines 40-42), by using a communication card including a modem and an ISDN card (Column 1`3 lines 52-56); and a unit which registers the template file in HTML format that has been downloaded (this feature is inherent in Aihara et al. as the script has a name and is recorded in memory and is accessible using the controls of the digital camera).

7. Claim **2** is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,223,190 (Aihara et al.) in view of US 6,035,323 (Narayen et al.) in view of US 6,738,075 (Torres et al.) as applied to claim **1** above, and further in view of US 6,930,709 (Creamer et al.).

See the rejection of claim **1** and note that what Aihara et al. and Narayen et al. teach has been discussed above. What neither teaches is an automatic naming convention in which the camera creates directories in accordance with DCF standard. However, Creamer et al. teaches a digital camera which is used to upload pictures to a webpage and which can automatically name pictures in accordance with a standard (Column 13 lines 9-13). Creamer et al. further teaches creating thumbnails for referencing the images and naming them with an automatic naming convention (Column 13 lines 58-66). As DCF is a standard naming and directory creation convention, Creamer et al. would have considered using DCF as the particular naming convention and directory creating standard which was to be used in the digital camera taught by Creamer et al.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have added the naming and directory creation method taught by Creamer et al. to the digital camera taught by Aihara et al in view of Narayen et al. as this would allow for a predictable method for naming images and organizing them in a particular way which is advantageous because the user doesn't have to worry about whether they are using proper names.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dillon Durnford-Geszvain whose telephone number is (571) 272-2829. The examiner can normally be reached on Monday through Friday 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dillon Durnford-Geszvain 8/1/2006

NGOC-YEN VU
SUPERVISORY PATENT EXAMINER